

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 13, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BARBARA B.,¹

Plaintiff,

vs.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 4:22-cv-05145-RHW

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g) AND CLOSING FILE**

ECF No. 13

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 13, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Chad Hatfield represents Plaintiff. Attorney Brian Donovan represents Defendant.

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 After consideration, **IT IS HEREBY ORDERED** that:

2 1. The parties' Stipulated Motion for Remand, **ECF No. 13**, is **GRANTED**.

3 2. The above-captioned case be **REVERSED** and **REMANDED** to the
4 Commissioner of Social Security for further administrative proceeding pursuant to
5 sentence four of 42 U.S.C. § 405(g).

6 The parties have stipulated to the following instructions. On remand, the
7 Appeals Council will instruct the ALJ to:

- 8 • Reevaluate Plaintiff's subjective complaints, Plaintiff's residual
9 functional capacity, the medical opinions, and prior medical
10 administrative findings;
- 11 • Complete the sequential evaluation process and obtain vocational
12 expert testimony;
- 13 • Further develop the record as needed;
- 14 • Offer Plaintiff the opportunity for a new hearing; and
15 • Issue a new decision.

16 *See* ECF No. 13 at 2.

17 3. Judgment shall be entered for **PLAINTIFF**.

18 4. Upon proper presentation, this Court consider Plaintiff's application for
19 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).
20

1 The District Court Executive is directed to enter this Order, **enter**
2 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

3 DATED March 13, 2023.

4 *s/Robert H. Whaley*
5 ROBERT H. WHALEY
6 Senior United States District Judge
7
8
9
10
11
12
13
14
15
16
17
18
19
20